

## **REMARKS**

Favorable reconsideration is respectfully requested in view of the foregoing amendments and the following remarks.

### **I. CLAIM STATUS AND AMENDMENTS**

Claims 6-25 were pending in this application when last examined.

Claims 6-25 were examined on the merits and stand rejected.

Claim 12 is cancelled without prejudice or disclaimer thereto. Applicants reserve the right to file a Continuation or Divisional Application on any cancelled subject matter.

Claim 6 is amended to incorporate the limitations of claim 12. Support for this amendment can also be found on page 6, lines 6-7, of the specification as filed.

No new matter has been added.

### **II. CLAIM OBJECTION**

In item 3 on page 2 of the Office Action, claim 12 was objected to for not having antecedent basis for "electrodes correspond one-to one with each region[s]".

Claim 12 is cancelled. Therefore, this objection is moot.

Applicants note that the objected to subject matter of claim 12 is incorporated into amended claim 6. Support for this amendment can be found on page 6, lines 6-7, of the specification as filed.

### **III. OBVIOUSNESS REJECTIONS**

In item 7, claims 6-13 and 15-25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sugihara et al. (WO 99/34202) in view of Yasuda et al. (US 7,092,154).

Further, in item 15, claim 14 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Sugihara et al. in view of Yasuda et al. and further in view of Varalli et al. (US 2001/0041830). Applicants note that Varalli et al. was not listed in the Notice of References Cited. Applicants respectfully request that the Examiner list this reference in the next Office Action.

In item 18, claims 6-13 and 15-25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sugihara et al. in view of Hänni et al. (US 6,689,594).

Finally, in item 26, claim 14 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Sugihara et al. in view of Hänni et al. and further in view of Varalli et al.

Applicants respectfully traverse these rejections as applied to the amended claims.

In items 8 and 19 on pages 4 and 7 of the Office Action, the Office indicates that Sugihara et al. discloses a cell potential measuring electrode used to measure the electrophysiological activities of a sample that for claim 6 includes “a plural microelectrodes mounted on an insulating substrate ... that are placed in plural positions enclosed by a wall”. However, Sugihara et al. neither discloses nor suggests a plurality of regions isolated from each other by compartment walls for confining a nerve cell, wherein the regions are located corresponding one-to-one on each electrode located in the electrode patterns.

While the claimed invention discloses a region which has a cell confined therein and is placed on an electrode, Sugihara et al. discloses the segment of cells or tissues that are placed so as to cover all of the 64 microelectrodes (see page 13, lines 29-32 of Sugihara et al.). Thus, the cells or tissues of Sugihara et al. are not confined in a plurality of isolated regions enclosed by a wall.

Since the other cited references do not remedy this defect in Sugihara et al., the cited references fail to disclose each and every element of the claimed invention.

For the above-noted reasons, this rejection is untenable and should be withdrawn.

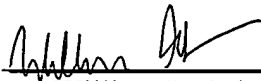
**CONCLUSION**

In view of the foregoing amendments and remarks, it is respectfully submitted that the present application is in condition for allowance and early notice to that effect is hereby requested.

If the Examiner has any comments or proposals for expediting prosecution, please contact the undersigned attorney at the telephone number below.

Respectfully submitted,

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